

Inventor(s): BADLEY ET AL

Appl. No.: 09 554,956

Series Code ↑ Serial No. ↑

Filed: July 11, 2000

Hon. Commissioner of Patents
Washington, D.C. 20231

Group A: 1641

Examiner: Gabel

Atty. Dkt. P 270584 C372.0//U

M# Client Ref:

Appl. Title: IMPROVEMENTS IN OR RELATING
TO DISPLACEMENT AS:AYS

Sir:

REPLY/AMENDMENT/LETTERDate: December 3, 2001 - RESPONSE
UNDER 37 CFR 1.116 - EXPEDITED
PROCEDURE

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herewith by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entry claim		Claims remaining after amendment	Highest number previously paid for	Present Extra	Larger/Smaller Entry	Additional Fee	Fee Code Lg/Sm
A <input checked="" type="checkbox"/> NOT made	B <input type="checkbox"/> Withdrawn						
For B & C See Required Separate Paper (Pat-256)							
2. Total Effective Claims		**minus	0	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims		***minus	0	0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)		add			+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: October 3, 2001 <input type="checkbox"/> NONE							
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =				115/215
		(2 mos)	\$400/\$200 =		+ \$400		116/216
		(3 mos)	\$920/\$460 =				117/217
		(Usable only for ≤ 2mo.OA --- 4 mos)	\$1,440/\$720 =				118/218
		(Usable only for 30 day/1mo.OA --- 5 mos)	\$1,960/\$980 =				128/228
7. Enter any previous extension fee paid since above original due date and subtract					- \$0		
8							
9. If Terminal Disclaimer attached, add Rule 20(d) official fee					+ \$110/\$55	+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c). add					+ \$180	+ \$0	126
or if Rule 97(d) Request					+ \$180	+ \$0	126
11. After-Final Request Fee per rules 129(a) and 17(r)					+ \$740/370	+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b)					x \$740/370 ea	+ \$0	149/249
13. Request for Continued Examination (RCE)					+ \$740/370	+ \$0	1179/1279
14. Petition fee for						+ \$0	
15							
		TOTAL FEE ENCLOSED =				\$400	

16 *If the entry in this space is less than entry in next space, the "Present Extra" result is "0"

17 **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space

18 ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space

Our Deposit Account No 03-3975)

(Our Order No 60113 270584

C#

M#

CHARGE STATEMENT. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeal: separately.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Paul N Kokulis

Reg. No 16773

Sig:

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McLean, VA 22102
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Atty/Sec: PNK/MAH

Document#

PAT-120 10/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

PATENT
APPLICATION

In re **PATENT APPLICATION** ofInventor(s) **BADLEY ET AL**Appln No.: **09**

Series Code ↑

554,956

Serial No. ↑

Group Art Unit: **1641**Examiner: **Gabel**Atty. Dkt. **P 270584**

M#

C 372 07/U

Client Ref

Filed: July 11, 2000

Title: **IMPROVEMENTS IN OR RELATING TO
DISPLACEMENT ASSAYS**

Date: December 3, 2001

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated July 3, 2001 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months)
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" statement filed ☐ herewith ☐ previously
6. ☐ Fee **NOT** required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd, enter	\$320/160	\$320
If box 2 above is X'd, enter	\$320/160	\$0
If box 3 above is X'd, enter	\$280/140	\$0
If box 4 above is X'd, enter nothing	- 0 - (no fee)	
8. Original due date: October 3, 2001		
9. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo) \$110/\$55 (2 mos) \$400/\$200 (3 mos) \$920/\$460 (4 mos) \$1,440/\$720 (Usable only if box 2 is X'd— 5 mos) \$1,960/\$980	115/215 116/216 117/217 118/218 128/228
10. Enter any previous extension fee paid <input type="checkbox"/> previously since above		
Original due date (item 8); <input checked="" type="checkbox"/> with concurrently filed amendment.	-\$400	
11. Subtract line 9 from line 8 and enter: Total Extension Fee		+\$0
12. TOTAL FEE ATTACHED =		\$320

(Our Deposit Account No 03-3975)

(Our Order No.

60113

270584

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Pillsbury Winthrop LLP Intellectual Property Group

1600 Tysons Boulevard
McLean, VA 22102
Tel (703) 905-2000

By: Atty: **Paul N. Kokulis**Reg. No. **16773**Atty/Sec **PNK/MAH**

Sig: _____

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Tel: (703) 905-2118

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

RECEIPT FROM PTO FOR INDICATED ITEMS

(Do **NOT** Use for New or Continuing Applications of Any Kind)
 Use 2 postcards for all New Applns. (cont/Div/CIP, too)
 Use this sheet when filing CPA

Appln. No: 09/554,956	Atty: Paul N. Kokulis
First Inventor: BADLEY	Date: December 3, 2001
	Matter No: 270584
	Client No: 60113

ENCLOSED:

- ☒ Response/Amendment
 ☒ Appendix
 ☒ Cover Sheet
 ☐ Cite./Listed Documents

☐ Completion Request for R 53(f)/PCT Nat

- # No. of Pages Abstract
 # No. of Pages Spec and Claims
 # No. of Numbered Claims Only
 # No. of Sheets of Drawings (Figs



☐ 1 Set Formal
 ☐ 1 Set Informal
 ☐ Cover Letter

☐ Declaration
 ☐ # of pages
☐ Assignment
 ☐ Cover Sheet

☐ Small Entity Declaration

☐ Extension Petition (PAT-111)

☐ No. of Priority Documents

☐ IDS Letter ☐ Cited Appln(s) ☐ Foreign Sch Rep/OA

☐ PTO-1449 ☐ Cited Documents

☐ Issue Fee Transmittal Form PTOL-85(b) + (c)

\$ 720.00 Fee (Check)

OTHER:

NOTICE OF APPEAL (in duplicate)

Current DUE DATE:

December 3, 2001

(Submit Single Copy Only)

PILLSBURY WINTHRUP

1600 TYSONS BOULEVARD MCLEAN, VA 22102 703.905.2000 F 703.905.2500

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Date March 28, 2002
From Paul L. Sharer
Total Pages 11
Including cover 11
User No 13291
C/M No 041301/0270584
To Exmr Gail Gabel
Phone No (703) 305-0807
Company GAU 1641 USPTO
Fax No (703) 305-3014

Comments

RE: U.S. Serial No. 09/554,956 to Badley et al.

Dear Examiner Gabel:

As requested, faxed herewith is our copy of the response filed on December 3, 2001 along with the date-stamped receipt.

Please do not hesitate to contact us should you have any questions.

Best regards,

Paul L. Sharer

Confidentiality Note
The documents accompanying this facsimile transmission may contain confidential information which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, or the person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error,

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Operator _____ Time Sent _____ Batch ID _____